IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH

AT HYDERABAD

THE HON'BLE SRI JUSTICE B.PRAKASH RAO

AND

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN,J

W.P.NOS.23495 AND 23497 OF 2004

DATED 09-06-2006

WRIT PETITION NO.23495 OF 2004

BETWEEN

S.P.Kumar

.. PETITIONER

And

The Deputy Superintendent of Police,

Anti Corruption Bureau, Visakhapatnam

And two others.

WRIT PETITION NO.23497 OF 2004

BETWEEN

Reddy Appala Naidu

.. PETITIONER

And

The Deputy Superintendent of Police,

Anti Corruption Bureau, Visakhapatnam

And two others.

...RESPONDENTS

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THE HON'BLE SRI JUSTICE B.PRAKASH RAO

AND

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN,J

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WRIT PETITION NOs.23495 & 23497 OF 2004

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ORAL ORDER:(per Sri BPR.J)

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Heard both the learned counsel and at their request the writ petitions itself are taken up for final disposal.

In these two writ petitions, the main challenge is to the orders of the Tribunal dismissing the applications filed by the petitioners herein under Section 19 of the Administrative Tribunals Act, 1985 against the orders of suspension pending enquiry.

It is stated that both the petitioners herein were caught red handed by the ACB authorities and cases were registered against them and this Court granted interim orders dated 19.1.2005 suspending the impugned order.

Learned counsel for the petitioners submits that if at least the departmental enquiry against the petitioners is completed earlier, steps can be taken to protect their interest.

Having regard to the nature of the case and in view of the fact that the ACB authorities have caught both the petitioners red handed, we are not inclined to maintain the interim orders earlier granted by this Court. Since the enquiry is still pending, this Court possibly cannot go into the merits of the case and necessarily the enquiry against the petitioners has to be completed.

In the circumstances, both the writ petitions are dismissed. The interim orders earlier granted by this Court are vacated and the respondents are directed to complete the departmental enquiry against the petitioners herein within a period of four months from the date of receipt of a copy of this order.

B.PRAKASH RAO,J

RAMESH RANGANATHAN,J

Dated 30.5.2006

msv